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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,967	11/21/2001	Travis J. Parry	10008078-1	1662

7590 11/16/2006

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EXAMINER

SCUDERI, PHILIP S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/989,967

Applicant(s)

PARRY, TRAVIS J.

Examiner

Philip S. Scuderi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

This office action is in response to applicant's amendment filed on 19 October 2006.

### *Response to Arguments*

#### I. 35 U.S.C. § 112, ¶ 2

Applicant's amendments have overcome the rejection of claims 1-11 under § 112, ¶ 2 set forth in the last office action. The corresponding rejections have been withdrawn.

Applicant's arguments, see remarks at 6-7, in regards to the rejection of claims 13 and 14 under § 112, ¶ 2 set forth in the last office action have been fully considered and are persuasive. The corresponding rejections have been withdrawn.

#### II. Claim Objection

Applicant's amendments have overcome the claim objection set forth in the last office action.

#### III. Danknick (US 6,021,429)

Applicant's arguments in regards to the Danknick reference have been fully considered but they are not persuasive.

1. Applicant avers, see remarks at 7-8, that Danknick does not teach an embedded webserver, but rather a standalone program used by the network administrator.

The broadest reasonable interpretation of an "embedded webserver" is any component that (1) is embedded within any other component and (2) serves information over a network.

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At column 8, lines 29-64, Danknick discloses:

“To access information available in NEB 2, a program called CPUTIL is resident on LAN 1. ... CPUTIL communicates with NEB 2 through a special connection with CPSOCKET. ... Within NEB 2, the CPSOCKET operational module is always activated.”

It is clear from the blockquote above that the CPSOCKET (1) is embedded within the NEB and (2) serves information over the LAN. Therefore, the CPSOCKET is an embedded webserver as claimed.

2. Applicant avers, see remarks at 8, that Danknick does not teach an imaging device adapted to communicate a list of other imaging device network addresses through a network interface to an imaging device management facility upon request.

Danknick discloses that “the network administrator can remotely access the list of device addresses in [the] NEB” (column 8, lines 45-47). The network administrator’s remote computer is a management facility as claimed.

### *Claim Objections*

Claim 1 is objected to because of a minor informality: The word “to” presumably belongs before the phrase “a first imaging device” in lines 2-3.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-11 and 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Danknick (US 6,021,429).**

As per claim 1, Danknick teaches an imaging device, comprising:  
an image generator (print engine), wherein the image generator is a print engine internal [to]  
a first imaging device (printer) (figure 2; column 5, line 45 – column 6, line 49);  
a network interface (30), wherein the network interface is adapted to couple the first imaging  
device (print engine) to a network (LAN) (figure 2; column 5, line 45 – column 6, line 49); and  
a controller (NEB) coupled to the network interface (30) and the image generator (print  
engine), wherein the controller (NEB) is internal to the first imaging device (printer) and is adapted  
to store a list of other imaging device network addresses (addresses of printers, copiers, fax  
machines, etc.) (column 7, line 45 – column 8, line 28);  
wherein the controller (NEB) is adapted to communicate the list of other imaging device  
network addresses through the network interface (30) to an imaging device management facility  
upon request (column 8, lines 29-64).

As per claim 2, Danknick teaches the imaging device of claim 1, wherein the list of other  
imaging device network addresses further comprises a list of other imaging device network  
addresses, where the other imaging devices are similar to the first imaging device (column 7, line 45  
– column 8, line 28).

As per claim 3, Danknick teaches the imaging device of claim 1, wherein the list of other  
imaging device network addresses further comprises imaging device supplemental information  
(column 7, line 45 – column 8, line 28).

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As per claim 4, Danknick teaches the imaging device of claim 1, wherein the controller (NEB) is adapted to store a list of other network addresses in a register (column 7, line 45 – column 8, line 28).

As per claim 5, Danknick teaches the imaging device of claim 1, wherein the controller (NEB) further comprises an embedded webserver (column 8, lines 29-64).

As per claim 6, Danknick teaches the imaging device of claim 1, wherein the list of other network addresses is a sequential list (column 7, line 45 – column 8, line 28).

As per claim 7, Danknick teaches the imaging device of claim 1, wherein the controller (NEB) is adapted to discover the list of other network addresses (column 9, line 50 – column 11, line 67).

As per claim 8, Danknick teaches the imaging device of claim 7, wherein discovering the list of other network addresses further comprises pinging network addresses (column 10, lines 25-45).

As per claim 9, Danknick teaches the imaging device of claim 7, wherein discovering the list of other network addresses is scheduled to occur at specific times (expiration times) (column 10, lines 25-45).

As per claim 10, Danknick teaches the imaging device of claim 7, wherein a history list of previously valid network addresses is utilized in discovering the list of other network addresses (column 10, lines 25-45).

As per claim 11, Danknick teaches the imaging device of claim 1, wherein a network device at a network address notifies the first imaging device when the network device comes online (imaging devices operating as slaves) (column 12, line 1 – column 13, line 4).

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As per claim 13, Danknick teaches a computer-usable medium having computer readable instructions stored thereon for execution by a processor of an imaging device to perform a method comprising:

determining a list of network addresses for other imaging devices similar to a first imaging device, wherein the first imaging device contains a print engine (column 5, line 45 – column 6, line 49);

storing the list of network addresses on the first imaging device (column 5, line 45 – column 6, line 49);

communicating with the other similar imaging devices by referring to the list of network addresses for the other imaging devices (column 5, line 45 – column 6, line 49); and

communicating the list of other imaging device network addresses through a network interface to an imaging device management facility (column 8, lines 29-64).

As per claim 14, Danknick teaches the computer-usable medium of claim 13, wherein determining the list of other network addresses for other imaging devices similar to the first imaging device further comprises discovering the network addresses for other imaging devices similar to the first imaging device (column 9, line 50 – column 11, line 67).

As per claim 15, Danknick teaches a method of operating an imaging device, the method comprising:

determining a list of network addresses for other imaging devices similar to a first imaging device, wherein the first imaging device contains a print engine (column 5, line 45 – column 6, line 49);

storing the list of network addresses on the first imaging device (column 5, line 45 – column 6, line 49);

referring to the list of network addresses of other imaging devices for communication between imaging devices (column 5, line 45 – column 6, line 49); and

communicating the list of other imaging device network addresses through a network interface to an imaging device management facility (column 8, lines 29-64).

As per claim 16, Danknick teaches the method of claim 15, wherein determining the list of network addresses for other imaging devices similar to the first imaging device further comprises discovering the network addresses for other imaging devices similar to the first imaging device (column 5, line 45 – column 6, line 49).

As per claim 17, Danknick teaches the method of claim 16, wherein discovering the list of other network addresses further comprises pinging network addresses (column 10, lines 25-45).

As per claim 18, Danknick teaches the method of claim 15, further comprising:  
notifying the first imaging device when an imaging device associated with a network address of the list of network addresses for other imaging devices comes online (imaging devices operating as slaves) (column 12, line 1 – column 13, line 4).

As per claim 19, Danknick teaches the method of claim 16, further comprising storing additional information on each imaging device associated with the list of network addresses of other similar imaging devices wherein the additional information is imaging device supplemental information (column 7, line 45 – column 8, line 28).

As per claim 20, Danknick teaches the method of claim 15, further comprising:  
directing the communication between the first imaging device and other similar imaging devices (controlling the NEB) with a webserver embedded in the first imaging device (column 8, lines 29-64).



*Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

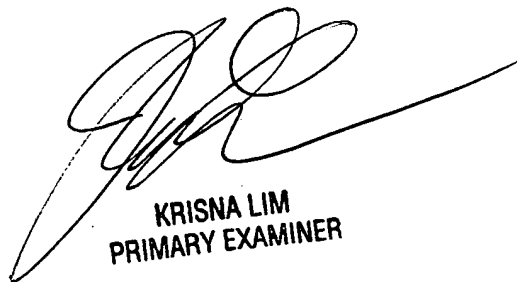
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PS



KRISNA LIM  
PRIMARY EXAMINER